

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF VIRTUAL PUBLIC HEARING**

**TIME AND PLACE:** **Thursday, October 19, 2020, @ 4:00 p.m.**  
**WebEx or Telephone – Instructions will be provided on  
the OZ website by Noon of the Hearing Date<sup>1</sup>**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Z.C. Case No. 20-16 (Office of Planning– Zoning Map Amendment from ARTS-2 to ARTS-4  
@ Square 442, Lot 106)**

**THIS CASE IS OF INTEREST TO ANC 6E**

On July 17, 2020, the Office of Planning (“OP”) filed a report that served as a petition (the “OP Report”) requesting the Zoning Commission (the “Commission”) approve a proposed amendment of the Zoning Map (the “Map Amendment”) for Lot 106 in Square 442 (the “Property”), from the current ARTS-2 zone to the ARTS-4 zone.

The Property consists of approximately 15,317 square feet on the northeast corner of the intersection of 7<sup>th</sup> Street and Rhode Island Avenue, N.W. To the north is a multifamily building in the ARTS-2 zone; to the east are a vacant property and row dwellings in the RF-1 zone and a multifamily residential building developed as a PUD under the C-2-B zone; to the south across Rhode Island Avenue are row dwellings in the RF-1 zone and an apartment building in the MU-4 zone; to the southwest is the Shaw Library in the MU-5A and RA-2 zones; and to the west is an the Shaw-Howard University Metro Station entrance and an apartment building in the ARTS-2 zone. The area is characterized by a mixture of row dwellings, apartments, small retail and institutional uses.

The Generalized Policy Map (“GPM”) of the Comprehensive Plan (“CP”) designates the Property as a Main Street Mixed Use Corridor, which the CP’s Framework Element<sup>2</sup> defines as traditional commercial business corridors with a pedestrian-oriented environment with traditional storefronts with upper story residential office uses. Redevelopment of these corridors should foster economic and housing opportunities, serve neighborhood needs, support transit use, and enhance the pedestrian environment.

The CP’s Future Land Use Map (“FLUM”) designates the Property for Mixed-Use Medium-Density Residential/Medium-Density Commercial. The CP’s Framework Element defines Medium-Density Residential as including neighborhoods with mid-rise (4-7 stories) apartment buildings as the predominant use, with some taller residential buildings surrounded by large areas

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<sup>1</sup> Anyone who wishes to participate in this case but cannot do so via WebEx or telephone, may submit written comments to the record. (See p. 3, *How to participate as a witness – written statements.*)

<sup>2</sup> Although the OP Report referred to the “amended” Framework Element adopted by the Council and signed by the Mayor (A23-0217), this is not yet in effect, and so the current Framework Element applies to the Map Amendment until the amended Framework Element completes the Congressional Review Period (anticipated on September 24, 2020, prior to any final action on the Map Amendment). All references herein to the Framework Element are to the current, not the amended, Framework Element.

of permanent open space, with the RA-2 and RA-3 zones specifically identified as generally consistent zones, although other zones may apply. The CP's Framework Element defines Medium-Density Commercial as for retail, office, and service businesses with buildings that generally do not exceed eight stories in height, with the ARTS-2 and MU-6 through MU-8 zones specifically identified as corresponding consistent, although other districts may apply.

The Property's current ARTS-2 zone is intended to permit medium-density, compact mixed-use development, with an emphasis on residential development. The ARTS-2 zone permits a maximum building height of 65 feet (70 feet for Inclusionary Zoning ("IZ") developments); a maximum 3.5 floor area ratio ("FAR") (4.2 for IZ developments), of which a maximum 1.5 FAR may be devoted to non-residential uses; and a maximum lot occupancy of 60% (80% for IZ developments) for residential uses or 100% for non-residential uses.

The ARTS-4 zone proposed for the Property is intended to permit medium- to high-density, mixed-use development, with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions. The ARTS-4 zone permits a maximum building height of 90 feet (100 feet for IZ developments), with buildings above 65 feet subject to a one-to-one setback from property lines abutting a residential zone; a maximum 6.0 FAR (7.2 for IZ developments), of which a maximum 3.0 FAR may be devoted to non-residential uses; and a maximum lot occupancy of 75% (80% for IZ developments) for residential uses or 100% for non-residential uses.

The OP Report asserted that the Map Amendment is not inconsistent with the CP because the increased height and density allowed under the proposed ARTS-4 zoning would enable additional residential units and affordable housing and generate additional pedestrian traffic that would provide additional support ground floor retail and transit use of the adjacent Metro station. The OP Report cited multiple CP Policies, as well as the two Small Area Plans applicable to the Property, that recommended mixed-use residential buildings with ground floor retail and service uses, as did the GPM and FLUM designations. The OP Report noted that the density and height of the proposed ARTS-4 zone are consistent with those of the MU-6 zone, which the Framework Element specifically identifies as corresponding to the Medium-Density Commercial designation.

At its July 27, 2020, public meeting, the Commission heard testimony from OP in support of Map Amendment and voted to set it down for a public hearing.

This public hearing will be conducted in accordance with the rulemaking case provisions of Subtitle Z, Chapter 5, as well as the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Commission on May 11, 2020, in Z.C. Case No. 20-11.

The complete record in the case, including the OP Setdown Report and transcript of the November 18, 2019, public meeting, can be viewed online at the Office of Zoning website, through the Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

### **How to participate as a witness – oral presentation**

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ's website at <https://dcoz.dc.gov/> or by calling Donna Hanousek at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, it is **highly recommended that all written comments and/or testimony be submitted to the record at least 24 hours prior to the start of the hearing**. The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |               |                |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals   | 3 minutes each |

### **How to participate as a witness – written statements**

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov). Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Donna Hanousek at (202) 727-0789 for further assistance.

### **“Great weight” to written report of ANC**

Subtitle Z § 505.1 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain.

**FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, PETER A. SHAPIRO, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

**Do you need assistance to participate?** If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) five days in advance of the meeting. These services will be provided free of charge.

**¿Necesita ayuda para participar?** Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

**Avez-vous besoin d'assistance pour pouvoir participer ?** Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

**참여하시는데 도움이 필요하세요?** 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

**您需要有人帮助参加活动吗?** 如果您需要特殊便利设施或语言协助服务(翻译或口译),请在见面之前提前五天与 Zee Hill 联系。电话号码 (202) 727-0312, 电子邮件 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 这些是免费提供的服务。

**Quý vị có cần trợ giúp gì để tham gia không?** Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

**ለመሳተፍ ዕርዳታ ያስፈልግዎታል?** የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነዚህ አገልግሎቶች የሚሰጡት በነጻ ነው።